

M E M O R A N D U M

TO: Deputy Directors
Division Chiefs
Branch Chiefs

Original Signed By:
Rick Moss, Chief
OPAEA
October 26, 1994

FROM: Rick Moss, Chief
Office of Program Audits and Environmental Analysis

DATE: October 26, 1994

SUBJECT: USE OF OUTSIDE AGENCY CEQA DOCUMENTS FOR DEPARTMENT
OF TOXIC SUBSTANCES CONTROL (DEPARTMENT) PROJECTS

This memorandum is intended to clarify the Department's policy regarding the use of outside agency CEQA documents for Department projects. It is the Department's policy, consistent with the CEQA statute and Guidelines, that to the greatest extent practical, CEQA analysis should not be duplicated and existing CEQA documents should be used for current projects. Specifically for military base reuse projects, if a local agency has completed a CEQA document for base redevelopment, that document should be used to evaluate whether the project will cause a significant effect on the environment.

The intent of CEQA is to encourage the most efficient means possible for environmental review of documents while ensuring that the appropriate analysis takes place. The CEQA statute and the CEQA Guidelines allow agencies to prepare and use various types of Environmental Impact Report (EIRs) as well as other analytical methods in an effort to avoid duplication or redundancy.

Recently SB 354 was enacted into law to address the use of Environmental Impact Reports and Statements relating to military base reuse plans. This bill authorizes the Lead Agency to utilize an Environmental Impact Statement (EIS) prepared pursuant to federal law as the EIR for a military base reuse plan. Prior to the preparation of the EIR, a state or local Lead Agency shall make a reasonable and feasible effort to prepare the EIR jointly with the preparation of the EIS by the federal Lead Agency.

For projects which require both EIR and EIS documents, it is in the best interest of the project and the Department to ensure that all agencies involved in the project work together to prepare a single document which meets both the State and federal law. The applicant may request the Lead Agency to prepare one document, when both are required, to save time. In those instances, the agency must determine that a single EIS/EIR could be prepared more quickly than two separate documents. (Public Resources Code section 21083.6; CEQA Guidelines, section 15224 and 15110).

Should you have any questions regarding the material in this memorandum, please feel free to contact me at (916) 324-0845 CALNET 8-454-0845.